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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,926	08/21/2003	Kazutaka Saitoh	116896	7369
25944 7590 02/06/2008 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850			EXAMINER KASSA, HILINA S	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 02/06/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/644,926

Applicant(s)

SAITOH ET AL.

Examiner

Hilina S. Kassa

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/21/03 AND 09/12/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Examiner acknowledges claims 1-29 being cancelled and the newly added claims 30-37 based on the elected Species I.

Information Disclosure Statement

2. The information disclosure statements (IDS) submitted on 08/21/2003 and 09/12/2007 have been considered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 30-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakasugi (Japanese Publication Number JP2002229916, see IDS) and further in view of Tomida (US Patent Number 6,922,255 B1).

(1) regarding claim 30:

As shown in figure 2, Wakasugi discloses an image processing device (paragraph [0020], lines 1-5; note that a network fax is disclosed which is also considered as a form of an image processing device) comprising:

a facsimile communication unit that is capable of handling plural communication methods (paragraph [0006], lines 1-4; note that a fax communication like using more than one communication method is disclosed. i.e. using PSTN and LAN) including facsimile communications via the Internet (paragraph [0006], lines 4-6; note that fax gets transmitted via LAN by e-mail using T-37 transmitting method as described in paragraph [0003], lines 6-7);

a setting unit that sets a restriction of *automatic printing by the automatic printing unit* of the received documents received by the facsimile communications via the Internet (paragraph [0007]-paragraph [0008], line 3; note that there is a function restriction/limitation table which is set according to the senders information. Also, the facsimile is a network fax); and

an automatic printing restriction unit that restricts the automatic printing by the automatic printing unit of the received documents (paragraph [0022], lines 2-9; note that once the document is received, the functional restriction/limitation is checked) when the received documents received by the facsimile communication unit are those received by the facsimile communications via the Internet (paragraph [0007]-paragraph [0008], line 3; note that there is a function restriction/limitation table which is set according to the senders information. Also, the facsimile is a network fax), for which the restriction of automatic printing is set by the setting unit (paragraph [0022], lines 4-9; note that based on the setting information, printing is performed).

Wakasugi discloses all of the subject matter as described as above except for specifically teaching an automatic printing unit that prints received documents automatically.

However, Tomida teaches an automatic printing unit that prints received documents automatically (column 10, lines 59-61; note that the printer in the facsimile is capable of automatically printing).

Wakasugi and Tomida are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have an automatic printing unit that prints received documents. The suggestion/motivation for doing so would have been so that the internet facsimile device can easily and reliably handle urgent facsimile (column 10, lines 60-61). Therefore, it would have been obvious to combine Wakasugi with Tomida to obtain the invention as specified in claim 30.

(2) regarding claim 31:

As shown in figure 2, Wakasugi discloses an image processing device (paragraph [0020], lines 1-5; note that a network fax is disclosed which is also considered as a form of an image processing device) comprising:

a facsimile communication unit that is capable of handling plural communication methods (paragraph [0006], lines 1-4; note that a fax communication like using more than one communication method is disclosed. i.e. using PSTN and LAN) including facsimile communications via the Internet

(paragraph [0006], lines 4-6; note that fax gets transmitted via LAN by e-mail using T-37 transmitting method as described in paragraph [0003], lines 6-7);

a setting unit that sets either restriction or permission of *automatic printing* (paragraph [0021], lines 3-5; note that based upon the permission outputting gets performed) by *the automatic printing unit* of the received documents received by the facsimile communications via the Internet (paragraph [0007]-paragraph [0008], line 3; note that there is a function restriction/limitation table which is set according to the senders information. Also, the facsimile is a network fax); and

an automatic printing restriction unit that restricts the automatic printing by the automatic printing unit of the received documents (paragraph [0022], lines 2-9; note that once the document is received, the functional restriction/limitation is checked) when the received documents received by the facsimile communication unit are those received by the facsimile communications via the Internet (paragraph [0007]-paragraph [0008], line 3; note that there is a function restriction/limitation table which is set according to the senders information. Also, the facsimile is a network fax), for which the restriction of automatic printing is set by the setting unit (paragraph [0022], lines 4-9; note that based on the setting information, printing is performed).

Wakasugi discloses all of the subject matter as described as above except for specifically teaching an automatic printing unit that prints received documents automatically.

However, Tomida teaches an automatic printing unit that prints received documents automatically (column 10, lines 59-61; note that the printer in the facsimile is capable of automatically printing).

Wakasugi and Tomida are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have an automatic printing unit that prints received documents. The suggestion/motivation for doing so would have been so that the internet facsimile device can easily and reliably handle urgent facsimile (column 10, lines 60-61). Therefore, it would have been obvious to combine Wakasugi with Tomida to obtain the invention as specified in claim 31.

(3) regarding claim 32:

Wakasugi further discloses the image processing device according to claim 31, wherein the setting unit sets to restrict automatic printing by the automatic printing unit of the received documents received in Store & Forward communications conforming to the procedure of ITU-T Recommendation T-37 (paragraph [0003], lines 6-9; note that T-37 is utilized to transmit the fax via internet. Also, in paragraph [0020]-paragraph [0021]; note that the document gets transmitted via the network fax and functional restriction/limitation is gets retrieved from the receiver's side in order to grant permission to print or output).

(4) regarding claim 33:

Wakasugi further discloses the image processing device according to claim 31, further comprising an authorization unit that authorizes transmission information if notified from the sender by the facsimile communications via the Internet (paragraph [0020], lines 1-3; note that the sender sets a login name and functional limitation), wherein the setting unit sets to restrict automatic printing by the automatic printing unit of the received documents if the transmission information cannot be authorized by the authorization unit (paragraph [0022], lines 1-2; note that when the functional limitation is not met or when permission is not granted, an error message gets sent to the sender).

(5) regarding claim 34:

Wakasugi further discloses the image processing device according to claim 31, further comprising a determining unit that determines whether or not the received documents received by the facsimile communications via the Internet are color documents (paragraph [0020], line 3-paragraph [0021], line 2; note that it is checked if color document is received to be processed), wherein the setting unit sets to restrict automatic printing by the automatic printing unit of received documents determined to be color documents by the determining unit (paragraph [0021], lines 1-5; note that from the functional restriction/limitation table the color document gets processed when permission is granted).

(6) regarding claim 35:

Wakasugi discloses all of the subject matter as described as above except for specifically teaching the image processing device according to claim 31, further comprising a determining unit that determines whether the received documents received by the facsimile communications via the Internet are of high urgency or importance, wherein the setting unit sets to permit automatic printing by the automatic printing unit of the received documents determined as being of high urgency or importance by the determining unit.

However, Tomida teaches a determining unit that determines whether the received documents received by the facsimile communications via the Internet are of high urgency or importance (column 10, lines 11-14; note that when an urgent facsimile is received, the internet facsimile device notifies a receiving party on this urgency), wherein the setting unit sets to permit automatic printing by the automatic printing unit of the received documents determined as being of high urgency or importance by the determining unit (column 10, lines 23-48; note that once it is know that the facsimile is with high urgency, then the facsimile is allowed to print out automatically).

Wakasugi and Tomida are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have a determining unit that determines whether the received documents received by the facsimile communications via the Internet are of high urgency or importance, wherein the setting unit sets to permit automatic printing by the automatic printing unit of the received documents determined as being of high urgency or importance by the

determining unit. The suggestion/motivation for doing so would have been so that the internet facsimile device can easily and reliably handle urgent facsimile (column 10, lines 60-61). Therefore, it would have been obvious to combine Wakasugi with Tomida to obtain the invention as specified in claim 35.

(7) regarding claim 36:

Wakasugi further discloses the image processing device according to claim 31, further comprising an extracting unit that extracts transmission information if notified from the sender by the facsimile communications via the Internet (paragraph [0022], lines 2-5; note that the received document gets extracted), wherein the setting unit sets to restrict automatic printing by the automatic printing unit of the received documents if the transmission information extracted by the extracting unit includes a previously specified user name, organization name, domain name or telephone number (paragraph [0022], lines 5-9; note that when the functional constraint information from the sender is registered, the document gets permitted to be printed).

(8) regarding claim 37:

Wakasugi further discloses the image processing device according to claim 31, further comprising an extracting unit that extracts transmission information if notified from the sender by the facsimile communications via the Internet (paragraph [0022], lines 2-5; note that the received document gets extracted), wherein the setting unit sets to permit automatic printing by the

automatic printing unit of the received documents if the transmission information extracted by the extracting unit includes a previously specified user name, organization name, domain name or telephone number (paragraph [0022], lines 5-9; note that when the functional constraint information from the sender is registered, the document gets permitted to be printed).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kang (US Patent Number 6,868,146 B2) discloses a method of running an internet fax network, an internet fax system, and a transmission result ascertaining module.

Kim et al. (US Patent Number 5,889,595) disclose a method of stopping printing operation in a facsimile system.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Hankins could be reached at (571) 272- 7406.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks

Washington, D.C. 20231

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Art Unit: 2625

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Or faxed to:

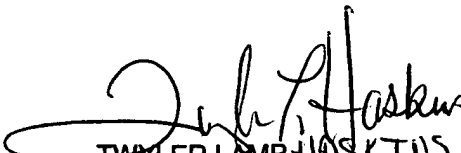
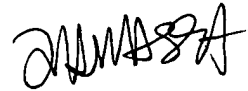
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application
or proceeding should be directed to the Technology Center 2600 Customer
Service Office whose telephone number is (703) 306-0377.

Hilina Kassa

February 04, 2008



TWYLER LAMB HASKINS
SUPERVISORY PATENT EXAMINER